

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

LP MATTHEWS, L.L.C. )  
                        )  
Plaintiff,           )  
                        )  
v.                    )  
                        )  
BATH & BODY WORKS, INC.; LIMITED )  
BRANDS, INC.; KAO BRANDS CO.   )  
(f/k/a THE ANDREW JERGENS     )  
COMPANY); and KAO CORPORATION   )  
                        )  
Defendants.           )

**LP MATTHEWS' MOTION FOR SUMMARY JUDGMENT OF  
INFRINGEMENT BY THE LIMITED DEFENDANTS**

Pursuant to Federal Rule of Civil Procedure 56 and the Local Rules of this Court,  
Plaintiff LP Matthews, L.L.C. moves for summary judgment that the Limited defendants infringe  
LP Matthews' U.S. Patent No. 5,063,062 ("the '062 patent"). The Limited defendants admit that  
their accused products meet each claim element of one or both of the asserted claims of the '062  
patent. Applying LP Matthews' proposed claim construction, each of the Limited defendants'  
accused products indisputably meet every element of the asserted claims. Under either LP  
Matthews' or the Limited defendants' proposed claim constructions, partial summary judgment  
on one or more claim elements will reduce the issues for trial.

ASHBY & GEDDES

*/s/ Tiffany Geyer Lydon*

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Dated: July 6, 2006  
171047.1

**CERTIFICATE OF SERVICE**

I hereby certify that on the 6<sup>th</sup> day of July, 2006, the attached **LP MATTHEWS' MOTION FOR SUMMARY JUDGMENT OF INFRINGEMENT BY THE LIMITED DEFENDANTS** was served upon the below-named counsel of record at the address and in the manner indicated:

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